IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 7791 of 1997

For Approval and Signature:

HONOURABLE MR.JUSTICE M.C.PATEL

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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BABUBHAI V CHODVADIYA & 2 - Petitioner(s)
Versus
STATE OF GUJARAT & 4 - Respondent(s)

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Appearance :

MR BAIJU JOSHI for MR SHIRISH JOSHI for Petitioner(s) : 1 - 3.
MS FALGUNI PATEL, AGP for Respondent(s) : 1 - 3.
RULE SERVED for Respondent(s) : 4 - 5.

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CORAM : HONOURABLE MR.JUSTICE M.C.PATEL

Date : 03/07/2006

ORAL JUDGMENT

It appears that the Collector had cancelled fair price shop authorisation of the respondent no.4 Society and forfeited the stock of Kerosene, rice and

wheat which had been seized earlier. The Secretary, Civil Supplies Department, partly allowed the appeal preferred by the respondent no.4 and set aside the Collector's order of cancelling the authorisation and reduced the quantity of kerosene, rice and wheat which had been ordered to be forfeited. The petitioners were members of the Society and they have filed this petition challenging the order of the Government. Mr. Baiju Joshi, the learned counsel for the petitioner states that there are no instructions from the petitioners in spite of a number of communications sent to them. It appears that the petitioners are not interested in prosecuting the petition. There is no reason to interfere with the impugned order after so many years. The petition is, therefore, dismissed. Rule discharged.

(M.C. Patel, J.)

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